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PATENT
ATTORNEY DOCKET NO. 046601-5133

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Yasuhiro UEHARA, et al.

Application No.: 10/816,912

Filed: April 5, 2004

For: **FIXING DEVICE AND IMAGE FORMING DEVICE**

Confirmation No.: 2644

Group Art Unit No.: 2852

Examiner: Ryan M. Gleitz

Mail Stop AMENDMENT

**Commissioner for Patents
U.S. Patent and Trademark Office
Mail Stop Amendment
Alexandria, VA 22314-1450**

Sir:

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment responding to the Office Action dated October 17, 2005.
2. Additional papers enclosed:

- ☐ Drawings: ☐ Formal ☐ Informal (Correction)
☐ Information Disclosure Statement
☐ Form PTO-1449, _____ references included
☐ Citations
☐ Declaration of Biological Deposit

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

| <u>Total Months Requested</u> | <u>Fee for Extension</u> | <u>[Fee for Small Entity]</u> |
|---------------------------------------|--------------------------|-------------------------------|
| <input type="checkbox"/> one month | \$ 120.00 | \$ 60.00 |
| <input type="checkbox"/> two months | \$ 450.00 | \$ 225.00 |
| <input type="checkbox"/> three months | \$ 1,020.00 | \$ 510.00 |
| <input type="checkbox"/> four months | \$ 1,590.00 | \$ 795.00 |

Extension of time fee due with this request: \$0.00.

If an additional extension of time is required, please consider this a Petition therefor.

- ☐ An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

| CLAIMS AS AMENDED | | | | | | |
|---|---|-------|--------------------------------|------------------|---------------|------------|
| | Claims Remaining After Amendment | | Highest No. Previously Paid | Present Extra | at Rate of | Total Fees |
| Total Claims (37 C.F.R. §1.16(c)) | 13 | minus | 20 | 0 | x \$50 each= | + \$0.00 |
| Independent Claims (37 C.F.R. §1.16(b)) | 3 | minus | 3 | 0 | x \$200 each= | + \$0.00 |
| [] First presentation of Multiple dependent claim(s) | | | | | \$360.00 | + \$ 0.00 |
| SUB-TOTAL = | | | | | | \$0.00 |
| Reduction by ½ for filing by a small entity | | | | | | - \$0.00 |
| TOTAL FEE = | | | | | | \$0.00 |

6. Fee Payment

- ☒ No fee is to be paid at this time.
- ☐ Please charge Deposit Account No. 50-0310 the total of \$0.00 for the _____ fee. The Commissioner is hereby authorized to charge any additional extension of time fee or additional fee for claims due to Deposit Account No. 50-0310.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: May 30, 2006

By: _____

Jason E. Gettleman
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AMENDMENT UNDER 37 C.F.R. § 1.116

In response to the Final Office Action dated March 28, 2006, the period for response to which extends through June 28, 2006, entry of the following amendment is respectfully requested to place the application in clear condition for allowance or, alternatively, in better form for appeal.